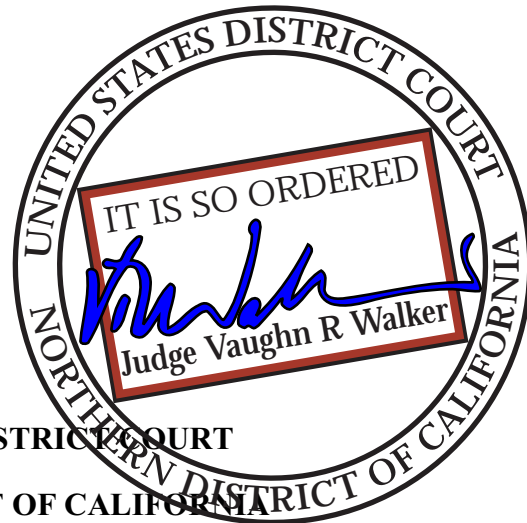


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Attorney for Plaintiff



**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

DEBRA K. HALL,

Plaintiff,

v.

PLM LENDER SERVICES, INC.;
PERFORMANCE MORTGAGE
CERTIFIED FUND, LLC; VISIONARY
MILESTONES, INC.; ABIDA SULTANA
KHAN; JAMES HAYES and DOES 1-20
inclusive,

Defendants.

CASE NO.: 3:09-CV-04760-~~EDL~~ VRW..

**PLAINTIFF'S NOTICE OF DISMISSAL
WITHOUT PREJUDICE OF CAUSE OF
ACTION FOR VIOLATION OF THE
TRUTH IN LENDING ACT; CAUSE OF
ACTION FOR VIOLATION OF
CALIFORNIA ROSENTHAL ACT; CAUSE
OF ACTION FOR NEGLIGENCE; CAUSE
OF ACTION FOR VIOLATION OF THE
REAL ESTATE SETTLEMENT
PROCEDURES ACT; CAUSE OF ACTION
FOR BREACH OF FIDUCIARY DUTY;
CAUSE OF ACTION FOR FRAUD; CAUSE
OF ACTION FOR VIOLATIONS OF
CALIFORNIA BUSINESS &
PROFESSIONS; CAUSE OF ACTION FOR
BREACH OF CONTRACT; CAUSE OF
ACTION FOR BREACH OF IMPLIED
COVENANT OF GOOD FAITH AND FAIR
DEALING; and CAUSE OF WRONGFUL
FORECLOSURE, INsofar AS THEY
RELATE TO DEFENDANTS: PLM
LENDER SERVICES, INC.;
PERFORMANCE MORTGAGE
CERTIFIED FUND, LLC; VISIONARY
MILESTONES, INC.; ABIDA SULTANA
KHAN; JAMES HAYES, AND DOES 1-20
INCLUSIVE
[FRCP 41(a)(1)(I)]
ACTION FILED: OCTOBER 6, 2009**

1 PLEASE TAKE NOTICE that Plaintiff, Debrah K. Hall, hereby dismisses, *without*
2 *prejudice*, her Cause of Action for Violation of the Truth In Lending Act (Count 1 of the First
3 Amended Complaint), her Cause of Action for Violation of California Rosenthal Act (Count 2 of
4 the First Amended Complaint), her Cause of Action for Negligence (Count 3 of the First
5 Amended Complaint), her Cause of Action for Violation of the Real Estate Settlement
6 Procedures Act (“RESPA”) (Count 4 of the First Amended Complaint), her Cause of Action for
7 Breach of Fiduciary Duty (Count 5 of the First Amended Complaint), her Cause of Action for
8 Fraud (Count 6 of the First Amended Complaint), her Cause of Action for Violation of California
9 Business and Professions Code (Count 7 of the First Amended Complaint) her Cause of Action
10 for Breach of Contract (Count 8 of the First Amended Complaint), her Cause of Action for
11 Breach of Good Faith and Fair Dealing (Count 9 of the First Amended Complaint), and her
12 Cause of Action for Wrongful Foreclosure (Count 10 of the First Amended Complaint) as to
13 Defendants PLM Lender Services, Performance Mortgage Certified Fund, LLC, Visionary
14 Milestones, Inc., Abida Sultana Khan, James Hayes, and Does 1-20 inclusive.

15 DATED December 16, 2009

16 Respectfully submitted

17
18 /s/Sharon L. Lapin
19 SHARON L. LAPIN
20 Attorney for Plaintiff
21 Debra Hall
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CERTIFICATE OF SERVICE

STATE OF CALIFORNIA)
)ss.
COUNTY OF SACRAMENTO)

I am a citizen of the United States and a resident of the County of Sacramento. I am over the age of 18 years and not a party to the within above-entitled action; my business address is 2882 Prospect Park Drive, Suite 350, Rancho Cordova, CA 95670.

On this date I served the foregoing document described as follows: **PLAINTIFF'S NOTICE OF DISMISSAL WITHOUT PREJUDICE OF TILA**
AND RESPA CAUSES OF ACTION on the following interested parties in this action:

SEE ATTACHED SERVICE LIST

The following is the procedure in which service of this document was effected:

- ☐ Facsimile, Time: _____ P.M.; Date:
- ☐ Federal Express, Priority Overnight
- ☐ United Parcel Service, Next Day Air
- ☐ United States Mail,
- ☒ By Electronic Mail - I hereby certify that I electronically transmitted the attached document(s) to the Clerk's Office using the CM/ECF System for filing and transmittal of Notice of Electronic Filing to the above listed CM/ECF registrants.

I declare under penalty of perjury that the foregoing is true and correct under the laws of the State of California and that this declaration was executed on December 16, 2009 at Sacramento, California.

/s/Robin C. Edwards
ROBIN C. EDWARDS

SERVICE LIST

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